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A/C.2/51/L.31
15 November 1996

ORIGINAL: ENGLISH

Fifty-first session
SECOND COMMITTEE
Agenda item 97 (c)

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: IMPLEMENTATION OF THE CONVENTION ON BIOLOGICAL DIVERSITY

Draft resolution submitted by the Vice-Chairman of the Committee, Mr. Mohammad Reza Hadji Karim Djabbary (Islamic Republic of Iran) on the basis of informal consultations held on draft resolution A/C.2/51/L.5

Convention on biological diversity

The General Assembly,

Reaffirming its resolutions 49/117 of 19 December 1994 and 50/111 of 20 December 1995 on the Convention on Biological Diversity, and resolution 49/119 of 19 December 1994 on the International Day for Biological Diversity,

Recalling the provisions of the Convention on Biological Diversity, 1/

Also recalling Agenda 21, 2/ particularly its chapter 15 on the conservation of biological diversity and related chapters,

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1/ See United Nations Environment Programme, Convention on Biological Diversity (Environment Law and Institution Programme Activity Centre), June 1992.

2/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and Corrigendum), resolution 1, annex II.

Further recalling the recommendations made at the third session of the Commission on Sustainable Development on the review of chapter 15 of Agenda 21 on the conservation of biological diversity, 3/

Deeply concerned by the continued loss of the world's biological diversity and, on the basis of the provisions of the Convention, reaffirming the commitment to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising out of the utilization of genetic resources,

Emphasizing that the Convention on Biological Diversity is an instrument important for achieving sustainable development, taking into account its three objectives,

Notes with satisfaction that most States and one regional economic integration organization have ratified or acceded to the Convention,

Taking note with appreciation of the generous offer of the Government of Argentina to host the third session of the Conference of the Parties to the Convention at Buenos Aires from 4 to 15 November 1996,

Encouraged by the work carried out to date under the Convention,

1. Welcomes the results of the second meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Jakarta, Indonesia, from 6 to 17 November 1995, as reflected in the report of the meetings, 4/ submitted in accordance with General Assembly resolution 50/111, and in that context reaffirms the need to take concrete action to fulfil the three objectives of the Convention, and takes note of the Jakarta Mandate on Marine and Coastal Biological Diversity, which proposes a framework for global action; 5/

2. Takes note of the results of the second meeting of the Convention's Subsidiary Body on Scientific, Technical and Technological Advice, held at the seat of the secretariat of the Convention in Montreal from 2 to 6 September 1996, and of the work carried out at the first meeting of the Open-ended Ad Hoc Working Group on Biosafety, held in Aarhus, Denmark, from 22 to 26 July 1996;

3. Encourages those States that have not yet ratified the Convention to do so;

3/ See Official Records of the Economic and Social Council, 1995, Supplement No. 12 (E/1995/32), chap. I, para. 230 (i).

4/ A/51/312, annex.

5/ See ibid., appendix.

4. Recognizes that States Parties have agreed to provide financial resources for the implementation of the Convention in accordance with article 20, paragraphs 1 and 2 of the Convention;

5. Invites the secretariat to the Convention to provide to the General Assembly at its special session in 1997, inter alia, information on experience gained under the Convention to date, and information on effective arrangements for the coordination of activities related to the objectives of the Convention;

6. Welcomes the work being carried out under the Convention to enhance cooperation with the Commission on Sustainable Development and biodiversity-related conventions, and invites the Conference of the Parties to the Convention to take into account the outcome of the 1997 special session at its fourth meeting, when considering ways of promoting greater cooperation with the United Nations system and the international community in relation to activities relevant by the objectives of the Convention;

7. Invites the Executive Secretary of the Convention on Biological Diversity to report to the General Assembly at its fifty-second session, and pending the outcome of the 1997 special session, to report to the Assembly on the results of future meetings of the Conference of the Parties to the Convention;

8. Decides to include in the provisional agenda of its fifty-second session the item "Convention on Biological Diversity".

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18 November 1996

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Fifty-first session
SECOND COMMITTEE
Agenda item 96 (a)

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: IMPLEMENTATION AND FOLLOW-UP TO MAJOR CONSENSUS AGREEMENTS ON DEVELOPMENT

Draft resolution submitted by the Vice-Chairman of the Committee, Mr. Mohammad Reza Hadji Karim Djabbary (Islamic Republic of Iran), on the basis of informal consultations held on draft resolution A/C.2/51/L.13

Implementation of the commitments and policies agreed upon in the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, and implementation of the International Development Strategy for the Fourth United Nations Development Decade

The General Assembly,

Reaffirming the importance and continued validity of the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries, contained in the annex to its resolution S-18/3 of 1 May 1990, and the International Development Strategy for the Fourth United Nations Development Decade, contained in the annex to its resolution 45/199 of 21 December 1990,

Recalling its resolutions 46/144 of 17 December 1991, 47/152 of 18 December 1992, 48/185 of 21 December 1993 and 49/92 of 19 December 1994 on the implementation of the Declaration and the Strategy,

Aware that the Declaration, the Strategy and the ongoing discussion on an agenda for development are mutually supportive and closely interlinked,

1. Takes note of the report submitted by the Secretary-General on the implementation of the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries and the International Development Strategy for the Fourth United Nations Development Decade; 1/

2. Recognizes the need to strengthen the implementation of the Declaration and the Strategy in the remaining years of the 1990s so as to ensure that the Decade will indeed be one of accelerated development, in particular in the developing countries, and strengthened international economic cooperation;

3. Calls upon Member States to identify and take follow-up actions on those commitments and agreements that are not fully implemented and on the constraints to implementation;

4. Recognizes the need to provide particular support to those least developed countries suffering from a deteriorating economic situation;

5. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a progress report on the implementation of the Declaration and the Strategy, with particular emphasis on their relationship with and impact on development trends, and on emerging experiences with and consensus on development strategies;

6. Encourages Member States to provide, as and when available, reports and papers relevant to the implementation of the commitments and policies agreed upon in the Declaration and the Strategy in order to assist the Secretary-General in preparing the report called for above;

7. Calls for the review and appraisal of the Declaration and the Strategy to be coordinated with the follow-up work on major United Nations conferences and the ongoing discussion on an agenda for development.

1/ A/51/270.

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18 November 1996

ORIGINAL: ENGLISH

Fifty-first session
SECOND COMMITTEE
Agenda item 97 (e)

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: PROTECTION OF GLOBAL CLIMATE FOR PRESENT AND FUTURE GENERATIONS OF MANKIND

Draft resolution submitted by the Vice-Chairman of the Committee, Mr. Mohammad Reza Hadji Karim Djabbary (Islamic Republic of Iran), on the basis of informal consultations held on draft resolution A/C.2/51/L.6

Protection of global climate for present and future generations of mankind

The General Assembly,

Recalling its resolutions 45/212 of 21 December 1990, 46/169 of 19 December 1991, 47/195 of 22 December 1992, 48/189 of 21 December 1993, 49/120 of 19 December 1994 and 50/115 of 20 December 1995,

Noting with satisfaction that most States and one regional economic integration organization have ratified or acceded to the United Nations Framework Convention on Climate Change, 1/ and inviting States that are not Parties to take appropriate action to that end,

Welcoming the achievements of the second session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, which was convened from 8 to 19 July 1996 in Geneva, and noting that the Conference of the Parties at its second session adopted by consensus a series of substantive decisions, 2/

1/ A/AC.237/18 (Part II)/Add.1 and Corr.1, annex I).

2/ See FCCC/CP/1996/15/Add.1.

Recalling that at its second session the Conference of the Parties took note without formal adoption of the Geneva Ministerial Declaration which received majority support among ministers and other heads of delegations attending the Conference, which, inter alia, called for acceleration of negotiations on the text of a legally binding protocol or another legal instrument to be completed in due time for adoption at the third session of the Conference of the Parties, as mentioned in the Geneva Declaration,

Taking note with appreciation of the scientific contribution to the convention process of the Intergovernmental Panel on Climate Change of the World Meteorological Organization/United Nations Environment Programme, and also taking note of its second assessment report as the most comprehensive assessment available to date of the issues related to global climate change,

Concerned that changes in climate may result in significant and often adverse impacts on many ecological systems and socio-economic sectors, including food supply and water resources, and on human health, and noting that in some cases the impacts are potentially irreversible, and that developing countries and small island developing States are typically more vulnerable to climate change,

Looking forward to the continued efforts of the Conference of the Parties and its subsidiary bodies in addressing climate change and, in particular, to the successful conclusion of the Berlin Mandate 3/ process at the third session of the Conference of the Parties,

Reiterating that a comprehensive approach should be adopted by the Conference of the Parties and its subsidiary bodies in the implementation of the Convention, including the full consideration of the particular situation of the developing countries as recognized by the Convention,

Taking note with appreciation of the generous offer of the Government of Japan to host the third session of the Conference of the Parties at Kyoto from 1 to 12 December 1997, 4/

Noting that the relocation of the Convention secretariat to Bonn, Germany, is well under way, and expressing its appreciation to the Government of Germany and the city of Bonn for the facilities and support they are providing to the secretariat,

Recalling its request to the Secretary-General, as put forth in General Assembly resolution 50/115, paragraph 9, to make the necessary arrangements to include in the calendar of conferences and meetings for the biennium 1998-1999 those sessions of the Conference of the Parties and its subsidiary bodies that the Conference may need to convene in that period, and noting that those arrangements should be made without prejudice to the outcome of the review referred to in operative paragraph 3 of this resolution,

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3/ FCCC/CP/1995/7/Add.1, decision 1/CP.1.

4/ FCCC/CP/1996/15/Add.1, decision 1/CP.2.

Having considered the report of the Secretary-General on the implementation of General Assembly resolution 50/115, 5/

1. Notes the administrative arrangements regarding personnel and financial matters that have been established in the context of the transitional arrangement for administrative support to the secretariat of the United Nations Framework Convention on Climate Change for the biennium 1996-1997; 6/

2. Also notes the arrangements made for the provision of conference services to the Conference of the Parties to the Convention and its subsidiary bodies for the biennium 1996-1997; 7/

3. Reiterates its request to the Secretary-General, as set forth in General Assembly resolution 50/115, paragraph 10, to review the arrangements mentioned in operative paragraphs 1 and 2 above towards the end of the biennium 1996-1997 and to report upon the results of that review to the Assembly at its fifty-second session, taking into account evolving needs arising from the relocation to Bonn of the Convention secretariat;

4. Notes with appreciation contributions made to the extrabudgetary funds established under paragraphs 10 and 20 of General Assembly resolution 45/212, and maintained in accordance with Assembly resolution 47/195, and calls upon Member States that are Parties to the Convention to also contribute generously to the trust fund for participation in the Convention process envisaged in paragraph 15 of its financial procedures, and to the trust funds envisaged for supplementary activities under the Convention; 8/

5. Calls upon Member States that are Parties to the Convention to pay in full and in a timely manner for each of the years 1996 and 1997, in accordance with the indicative scale adopted by consensus by the Conference of the Parties, 9/ the contributions required for the trust fund for the core budget of the Convention, envisaged in paragraph 13 of its financial procedures, so as to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the subsidiary bodies and the Convention secretariat;

6. Invites the Executive Secretary of the United Nations Framework Convention on Climate Change to report to the General Assembly at its fifty-second session and, pending the outcome of the special session of the General Assembly in 1997, to report on the results of future meetings of the conference of the Parties to the Convention;

5/ A/51/484.

6/ Ibid., paras. 14-18.

7/ Ibid., para. 9.

8/ FCCC/CP/1995/7/Add.1, decision 15/CP.1, annex I, and decision 18/CP.1.

9/ Ibid., decision 15/CP.1, annex II.

7. Decides to include in the provisional agenda of its fifty-second session the item entitled 'Protection of global climate for present and future generations of mankind' and to consider at that session the reviews requested in paragraph 10 of General Assembly resolution 50/115.

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General Assembly

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19 November 1996

ORIGINAL: ENGLISH

Fifty-first session
SECOND COMMITTEE
Agenda item 96 (g)

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: CULTURAL DEVELOPMENT

Draft resolution submitted by the Vice-Chairman of the Committee, Mr. Mohammad Reza Hadji Karim Djabbary (Islamic Republic of Iran), on the basis of informal consultations held on draft resolution A/C.2/51/L.22

Report of the World Commission on Culture and Development

The General Assembly,

Recalling its resolution 41/187 of 8 December 1986, in which it proclaimed the period 1988-1997 the World Decade for Cultural Development,

Recalling also its resolution 46/158 of 19 December 1991, in which it requested the Secretary-General to cooperate with the Director-General of the United Nations Educational, Scientific and Cultural Organization in establishing an independent World Commission on Culture and Development, and expected the World Commission to submit its final report to the General Conference of the United Nations Educational, Scientific and Cultural Organization and to the United Nations General Assembly no later than three years after it began its work,

Noting that the Director-General of the United Nations Educational, Scientific and Cultural Organization has sent the report of the Commission, entitled Our Creative Diversity,[1] to the member States of that organization for their comments as well as to many non-governmental and academic bodies,

[1] Document A/51/451, annex, contains a summary version of the report.

1. Requests the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to further stimulate international debate on culture and development;

2. Encourages the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-ninth session in 1997 to discuss the report further, taking into account the views, comments and proposals submitted by member States;

3. Also encourages the United Nations Educational, Scientific and Cultural Organization to pursue its ongoing task of promoting throughout the United Nations system a greater awareness of the crucial relationship between culture and development, taking into account the diversity of cultures;

4. Requests the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to compile a report on culture and development for the consideration of the General Assembly at its fifty-third session, taking into account the views, comments and proposals put forth by States and the relevant intergovernmental organizations concerning the Commission's report.

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General Assembly

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20 November 1996

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Fifty-first session
SECOND COMMITTEE
Agenda item 97 (d)

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: IMPLEMENTATION OF THE OUTCOME OF THE GLOBAL CONFERENCE ON THE SUSTAINABLE DEVELOPMENT OF SMALL ISLAND DEVELOPING STATES

Draft resolution submitted by the Vice-Chairman of the Committee, Mr. Mohammad Reza Hadji Karim Djabbary (Islamic Republic of Iran), on the basis of draft resolution A/C.2/51/L.7

Implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States

The General Assembly,

Recalling its resolutions 49/122 of 19 December 1994, 49/100 of 19 December 1994 and 50/116 of 20 December 1995, on or related to the implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States, and reaffirming Commission on Sustainable Development decision 4/16[1] on the review of the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States,[2]

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[1] See Official Records of the Economic and Social Council, 1996, Supplement No. 8 (E/1996/28), chap. I, sect. C, decision 4/16.

[2] Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994 (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

Reaffirming that, because the development options of small island developing States are limited, there are special challenges to devising and implementing sustainable development plans, and that small island developing States will be constrained in meeting such challenges and overcoming obstacles to sustainable development without the active support and cooperation of the international community,

Stressing the need for greater attention to priority areas of the Programme of Action, particularly climate change and sea level rise, energy resources, tourism resources, biodiversity resources, transport and communications and science and technology,

1. Takes note of the report of the Secretary-General[1] on action taken at the international, regional and national levels, inter alia, by the organs, organizations and bodies of the United Nations system to implement the Programme of Action for the Sustainable Development of Small Island Developing States, and welcomes in particular the action that has been taken by the Department for Policy Coordination and Sustainable Development of the United Nations Secretariat to support the system-wide implementation of the Programme of Action;

2. Stresses the importance of maintaining the Small Island Developing States Unit within the above-mentioned Department, and requests the Secretary-General to maintain the Unit at an appropriate level of staff and improve the structure and organization of the Unit, in accordance with General Assembly resolution 49/122;

3. Welcomes the work being done by the regional commissions to support activities to coordinate the outcome of the Global Conference on the Sustainable Development of Small Island Developing States;

4. Takes note of the decisions of the United Nations Conference on Trade and Development, at its ninth session, related to programme support for small island developing countries, within the framework of the Programme of Action, and requests the Secretary-General to implement fully the relevant provisions of General Assembly resolution 49/122;

5. Calls upon Governments, as well as the organs, organizations and bodies of the United Nations system, other intergovernmental organizations and non-governmental organizations, to continue to implement fully all the commitments and recommendations that were made at the Global Conference, and to continue to take the necessary actions for effective follow-up to the Programme of Action, including action to ensure the provision of the means of implementation under chapter XV thereof;

6. Recognizes the importance of the technical assistance programme (SIDSTAP) and the information network for small island developing States (SIDSNET) in the overall implementation of the Programme of Action, takes note of the progress made by the United Nations Development Programme in implementing

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[1] A/51/354.

General Assembly resolution 49/122, and requests the Programme, in cooperation with Governments, to continue its actions to implement fully all provisions in order to operationalize the two mechanisms;

7. Takes note of the support that has been provided by the Commission on Sustainable Development to following up the implementation of the Programme of Action in accordance with General Assembly resolution 49/122 and the Programme of Action itself, and invites the Commission at its fifth session to continue its support for and attention to the Programme of Action, as an integral part of the preparations for the special session of the General Assembly to be held in June 1997;

8. Requests that, in the context of the special session of the General Assembly, specific modalities will be recommended to examine all outstanding chapters of the Programme of Action, and for undertaking the full review of the Programme of Action in 1999;

9. Welcomes the inclusion of the development of a vulnerability index for small island developing States as part of the work programme of the Department for Policy Coordination and Sustainable Development for 1996-1997, and in this regard requests the Secretary-General, in collaboration with the United Nations Conference on Trade and Development, the United Nations Environment Programme, other relevant United Nations organizations and non-United Nations organizations, to prepare a report based on the views of relevant experts on the vulnerability index, in 1997;

10. Requests the Committee for Development Planning, at its thirty-second session, to formulate its views and recommendations on the above-mentioned report, with a view to submitting those views to the General Assembly at its fifty-third session, through the Economic and Social Council, and to make this information available to the Commission on Sustainable Development;

11. Requests the Department for Policy Coordination and Sustainable Development, in its coordinating role, to look into appropriate modalities for mobilizing resources for effective implementation of the Programme of Action and provide information thereon;

12. Requests closer collaboration and greater transparency between the Department for Policy Coordination and Sustainable Development and the United Nations Development Programme for effective implementation of the technical assistance programme (SIDSTAP), and requests detailed information to be made available to Governments on actions taken to this effect;

13. Welcomes the report of the High-level Panel Meeting on Island Developing Countries[4] on the challenges faced by island developing countries, particularly in the area of external trade, considered by the Commission on Sustainable Development at its fourth session;

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[4] E/CN.17/1996/IDC/3-UNCTAD/LLDC/IDC.3.

14. Requests the Secretary-General to seek the views of Governments on an informal open-ended working group within the existing Framework of Action for the International Decade for Natural Disaster Reduction,[5] with the membership of all concerned States, including all relevant sectors in disaster reduction, with a view to ensuring full integration and participation of small island developing States in the mapping of a concerted strategy for disaster reduction into the twenty-first century and in improving access to disaster and warning information in order to enhance the capability of small island developing States with respect to disaster management;

15. Stresses that small island developing States are particularly vulnerable to global climate change and sea level rise; potential effects of global climate change and sea level rise are increased strength and frequency of tropical storms and inundation of some islands, with loss of exclusive economic zones, economic infrastructure, human settlements and culture, and urges the international community to support small island developing States in their efforts to adapt to the sea level rise that will be experienced as a result of the impact of greenhouse gases that have already been emitted into the atmosphere;

16. Calls upon the international community, including the Global Environment Facility, within the framework of its operational strategy, to support commercial energy development in small island developing States based on those environmentally sound renewable sources with demonstrated viability, to support improvement of the efficiency of existing technologies and end-use equipment based on conventional energy sources, and to assist with the financing of investments necessary to expand energy supplies beyond urban areas;

17. Further calls upon the international community, where appropriate, to support the efforts of and to provide assistance to small island developing States with respect to improving and acquiring, through appropriate investment incentives and innovative measures, the means of maritime transport and development of infrastructure in small island developing States, such as airports, harbours, roads and telecommunications;

18. Welcomes actions at the national and regional levels by small island developing States, and invites all Governments, with the assistance of international and regional organizations, to provide information on all of their major activities under the Programme of Action so as to enable an adequate review of the actions taken at the national and regional levels;

19. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on the plans, programmes and projects for the sustainable development of small island developing States that have been implemented in response to the Programme of Action, as well as those that are under implementation and those that are envisaged for implementation within five years of the date of the report;

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[5] See resolution 44/236, annex.

20. Decides to include in the provisional agenda of its fifty-second session, under the item entitled "Environment and sustainable development", the sub-item entitled "Implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States";

21. Further requests the Secretary-General to submit to the General Assembly at its fifty-second session a progress report on the particular actions taken to implement the present resolution.

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General Assembly

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22 November 1996

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Fifty-first session
SECOND COMMITTEE
Agenda items 97 (f) and 116

ENVIRONMENTAL AND SUSTAINABLE DEVELOPMENT: INTERNATIONAL DECADE FOR NATURAL DISASTER REDUCTION

PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

International Decade for Natural Disaster Reduction

Programme budget implications of draft resolution A/C.2/51/L.4

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

1. Under the terms of operative paragraphs 10 to 13 of the draft resolution, the General Assembly would:

"Reaffirm that the secretariat of the Decade will continue to serve as the substantive secretariat for the preparation of the closing event of the Decade, working with the full support of relevant bodies of the United Nations Secretariat and drawing on the contributions of the organizations of the United Nations system concerned, other international organizations and Governments (para. 10);

"Request the Secretary-General to ensure the availability of resources for the activities related to the preparation of the closing event of the Decade and to appeal for additional voluntary contributions to the Trust Fund for the Decade (para. 11);

"Also request the Secretary-General to review relationships and responsibilities for natural disaster reduction with respect to the future, and to submit to the General Assembly at its fifty-second session, through the Economic and Social Council, a report on the implementation of the International Framework of Action for the Decade, including concrete proposals for ensuring the distinct performance capability of the secretariat of the Decade, in order to bring the Decade to its successful conclusion by the year 1999 (para. 12);

"Request the secretariat of the Decade to convene, in its capacity as substantive secretariat of the closing event of the Decade, the first meeting of the preparatory committee for the closing event, not later than the special session of the General Assembly to review Agenda 21, and with due recognition of equitable regional representation" (para. 13).

2. The programme of activities in the context of the Decade, including the preparation and holding of the closing event of the Decade, is detailed in the report of the Secretary-General (A/51/186-E/1996/60). The activities fall within the context of subprogramme 2 (Disaster prevention and preparedness) of programme 37 (Emergency humanitarian assistance) of the medium-term plan for the period 1992-1997. To the extent that they relate to the biennium 1996-1997, the activities have been programmed in the current programme budget, except for the session of the preparatory committee for the closing event of the Decade to be held in 1997. That session, given the timetable for the budget preparation, has not been foreseen in the 1996-1997 programme budget.

3. It will be recalled that under the terms of General Assembly resolution 44/236, annex, section E, the substantive activities in the context of the Decade, including the secretariat of the Decade itself, are funded exclusively from extrabudgetary resources solicited from donors through the specific trust fund established for the purpose. Therefore, the implementation of paragraphs 10 to 12 of the draft resolution would depend entirely on the amount of the extrabudgetary resources that Member States and other donors would provide for the Decade through the funding mechanism established for the purpose.

4. As to the 1997 session of the preparatory committee for the closing event of the Decade, the related conference-servicing costs would represent a direct charge to the regular budget under section 26E (Conference services). The preparatory committee would have a 5-day session and hold a total of 22 meetings of its plenary and working groups, to be served in all official languages of the Organization. There would be a total of 59 pages of pre-session, in-session and post-session documentation. On the basis of these parameters and on the assumption that the session would take place at Geneva, the conference-servicing requirements of the committee have been estimated at full cost in the amount of $251,100.

5. Given the fact that the 1997 session of the preparatory committee has not been programmed in the United Nations calendar of conferences and meetings, the above costs ($251,100) would represent additional requirements for the 1996-1997 budget under section 26E.

6. In connection with paragraph 5 above, it will be recalled that in adopting the programme budget for 1996-1997, the General Assembly decided that savings of $103.9 million were to be achieved during the biennium. Proposals on how to achieve those savings have been submitted to the General Assembly by the Secretary-General through the Fifth Committee. Therefore, the possibility of accommodating the additional conference-servicing requirements stemming from operative paragraph 13 of the draft resolution will be reviewed by the General Assembly at its current session, taking into account all the relevant reports of the Secretary-General.

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22 November 1996

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Fifty-first session
SECOND COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

United Nations Declaration Against Corruption and Bribery in International Commercial Transactions

Note by the Secretariat

By its resolution 1996/51 of 20 November 1996, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "United Nations Declaration Against Corruption and Bribery in International Commercial Transactions". The text of the draft resolution is reproduced below.

"United Nations Declaration Against Corruption and Bribery in International Commercial Transactions

"The General Assembly,

"Recalling its resolution 3514 (XXX) of 15 December 1975, in which it, inter alia, condemned all corrupt practices, including bribery, in international commercial transactions, reaffirmed the right of any State to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, against such corrupt practices, and called upon all Governments to cooperate to prevent corrupt practices, including bribery,

"Recalling also the further work carried out by the General Assembly and the Economic and Social Council on the issue of illicit payments and on elaborating a code of conduct for transnational corporations,[1]

[1] E/1991/31/Add.1.

consideration of which helped call attention to and raise international awareness of the adverse consequences of bribery in international commercial transactions,

"Recalling further General Assembly resolution 50/106 of 20 December 1995, in which the Assembly recommended that the Economic and Social Council consider the draft international agreement on illicit payments at its substantive session of 1996 and report to the Assembly at its fifty-first session,

"Welcoming the steps taken at the national, the regional, and the international level to fight corruption and bribery, as well as recent developments in international forums that have further advanced international understanding and cooperation regarding corruption and bribery in international commercial transactions,

"Noting the adoption in March 1996 by member States of the Organization of American States of the Inter-American Convention against Corruption,[2] which includes an article on transnational bribery,

"Noting also significant continuing work relevant to and consistent with the objectives of the present resolution in other regional and international forums, such as the continuing work of the Council of Europe and the European Union to combat international bribery, as well as the commitment by the member countries of the Organisation for Economic Cooperation and Development[3] to criminalize bribery of foreign public officials in international commercial transactions in an effective and coordinated manner and further examine the modalities and appropriate international instruments to facilitate criminalization, and to re-examine the tax deductibility of such bribes with the intention of denying such tax deductibility in the member countries that do not already do so,

"1. Adopts the United Nations Declaration Against Corruption and Bribery in International Commercial Transactions, the text of which is annexed to the present resolution;

"2. Notes the work being undertaken by the United Nations and in other international and regional forums to address the problem of corruption and bribery in international commercial transactions, and invites all States concerned to pursue the completion of such work;

"3. Invites Member States, in accordance with the Declaration, to take appropriate measures and cooperate at all levels to combat corruption and bribery in international commercial transactions;

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[2] E/1996/99.

[3] E/1996/106.

"4. Requests the Economic and Social Council and its subsidiary bodies, in particular the Commission on Crime Prevention and Criminal Justice:

"(a) To examine ways, including through legally binding international instruments, without in any way precluding, impeding or delaying international, regional or national actions, to further the implementation of the present resolution and the annexed Declaration, so as to promote the criminalization of corruption and bribery in international commercial transactions;

"(b) To keep the issue of corruption and bribery in international commercial transactions under regular review;

"(c) To promote the effective implementation of the present resolution;

"5. Invites other bodies of the United Nations system, including the United Nations Conference on Trade and Development, whose competence extends to this matter to take action as appropriate within their mandates to promote the objectives of the present resolution and the Declaration;

"6. Encourages private and public corporations, including transnational corporations, and individuals engaged in international commercial transactions to cooperate in the effective implementation of the Declaration;

"7. Requests the Secretary-General to inform Member States, the relevant bodies and the specialized agencies of the United Nations system, and international, regional and non-governmental organizations, of the adoption of the present resolution, to encourage action towards making its provisions widely known and to promote its effective implementation;

"8. Also requests the Secretary-General to prepare a report, for consideration by the General Assembly at its fifty-third session, on the progress made towards implementation of the present resolution and the steps taken by Member States, international and regional organizations and other relevant institutions to combat corruption and bribery in international commercial transactions; on the results of the work in this regard undertaken by the Commission on Crime Prevention and Criminal Justice and other bodies of the United Nations system; and on measures undertaken in accordance with the present resolution to promote social responsibility and the elimination of corruption and bribery in international commercial transactions;

"9. Invites Member States and relevant international, regional and non-governmental organizations to provide relevant information to assist the Secretary-General in preparing the above-mentioned report;

"10. Decides to include in the provisional agenda of its fifty-third session, under the item 'Business and development', a review of the report of the Secretary-General concerning the implementation of the present resolution.

"Annex

"UNITED NATIONS DECLARATION AGAINST CORRUPTION AND BRIBERY IN INTERNATIONAL COMMERCIAL TRANSACTIONS

"The General Assembly,

"Convinced that a stable and transparent environment for international commercial transactions in all countries is essential for the mobilization of investment, finance, technology, skills and other important resources across national borders, in order, inter alia, to promote economic and social development and environmental protection,

"Recognizing the need to promote social responsibility and appropriate standards of ethics on the part of private and public corporations, including transnational corporations, and individuals engaged in international commercial transactions, inter alia, through observance of the laws and regulations of the countries in which they conduct business, and taking into account the impact of their activities on economic and social development and environmental protection,

"Recognizing also that effective efforts at all levels to combat and avoid corruption and bribery in all countries are essential elements of an improved international business environment, that they enhance fairness and competitiveness in international commercial transactions and form a critical part of promoting transparent and accountable governance, economic and social development and environmental protection in all countries, and that such efforts are especially pressing in the increasingly competitive globalized international economy,

"Solemnly proclaims the United Nations Declaration Against Corruption and Bribery in International Commercial Transactions as set out below.

"Member States, individually and through international and regional organizations, taking actions subject to each State's own constitution and fundamental legal principles and adopted pursuant to national laws and procedures, commit themselves:

"1. To take effective and concrete action to combat all forms of corruption, bribery and related illicit practices in international commercial transactions, in particular to pursue effective enforcement of existing laws prohibiting bribery in international commercial transactions, to encourage the adoption of laws for those purposes where they do not exist, and to call upon private and public corporations, including transnational corporations, and individuals within their jurisdiction

engaged in international commercial transactions to promote the objectives of this Declaration;

"2. To criminalize such bribery of foreign public officials in an effective and coordinated manner, but without in any way precluding, impeding or delaying international, regional or national actions to further the implementation of this Declaration;

"3. Bribery may include, inter alia, the following elements:

"(a) The offer, promise or giving of any payment, gift or other advantage, directly or indirectly, by any private or public corporation, including a transnational corporation, or individual from a State to any public official or elected representative of another country as undue consideration for performing or refraining from the performance of that official's or representative's duties in connection with an international commercial transaction;

"(b) The soliciting, demanding, accepting or receiving, directly or indirectly, by any public official or elected representative of a State from any private or public corporation, including a transnational corporation, or individual from another country of any payment, gift or other advantage, as undue consideration for performing or refraining from the performance of that official's or representative's duties in connection with an international commercial transaction;

"4. To deny, in countries that do not already do so, the tax deductibility of bribes paid by any private or public corporation or individual of a Member State to any public official or elected representative of another country, and to that end, to examine their respective modalities for doing so;

"5. To develop or maintain accounting standards and practices that improve the transparency of international commercial transactions, and that encourage private and public corporations, including transnational corporations, and individuals engaged in international commercial transactions to avoid and combat corruption, bribery and related illicit practices;

"6. To develop or to encourage the development, as appropriate, of business codes, standards or best practices that prohibit corruption, bribery and related illicit practices in international commercial transactions;

"7. To examine establishing illicit enrichment by public officials or elected representatives as an offence;

"8. To cooperate and afford one another the greatest possible assistance in connection with criminal investigations and other legal proceedings brought in respect of corruption and bribery in international commercial transactions. Mutual assistance shall include, as far as permitted under national laws or as provided for in bilateral treaties or

other applicable arrangements of the affected countries, and taking into account the need for confidentiality as appropriate:

"(a) Production of documents and other information, taking of evidence and service of documents relevant to criminal investigations and other legal proceedings;

"(b) Notice of the initiation and outcome of criminal proceedings concerning bribery in international commercial transactions to other States that may have jurisdiction over the same offence;

"(c) Extradition proceedings where and as appropriate;

"9. To take appropriate action to enhance cooperation to facilitate access to documents and records about transactions and about identities of persons engaged in bribery in international commercial transactions;

"10. To ensure that bank secrecy provisions do not impede or hinder criminal investigations or other legal proceedings relating to corruption, bribery or related illicit practices in international commercial transactions, and that full cooperation is extended to Governments that seek information on such transactions;

"11. Actions taken in furtherance of this Declaration shall respect fully the national sovereignty and territorial jurisdiction of Member States, as well as the rights and obligations of Member States under existing treaties and international law, and shall be consistent with human rights and fundamental freedoms;

"12. Member States agree that actions taken by them to establish jurisdiction over acts of bribery of foreign public officials in international commercial transactions shall be consistent with the principles of international law regarding the extraterritorial application of a State's laws."

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Agenda item 95 (b)

SECTORAL POLICY QUESTIONS: FOOD AND SUSTAINABLE AGRICULTURAL DEVELOPMENT

Costa Rica* and Colombia**: draft resolution

Food and sustainable agricultural development

The General Assembly,

Recalling its resolution 50/109 of 20 December 1995,

Expressing deep concern at the widespread phenomenon of chronic undernourishment, including among children, particularly in the developing countries,

Also expressing concern that the scarcity of freshwater in developing countries, in arid and semi-arid regions, has hampered development efforts, especially agricultural development, which is necessary for food security,

Reaffirming the inalienable right to be free from hunger and malnutrition, as proclaimed in the Universal Declaration on the Eradication of Hunger and Malnutrition,[1]

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* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

** On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

[1] Report of the World Food Conference, Rome, 5-16 November 1974 (United Nations publication, Sales No. E.75.II.A.3), chap. I.

Recognizing the contributions made by the major United Nations conferences of the 1990s to an international consensus on food security and related issues,

Also recalling Economic and Social Council resolution 1996/36 of 26 July 1996 on follow-up to the major international United Nations conferences and summits, including the implementation of their respective programmes of action,

1. Welcomes the outcome of the World Food Summit held in Rome from 13 to 17 November 1996;

2. Urges all members of the international community, as well as relevant bodies within the United Nations system, including international and regional financial institutions, to cooperate actively in the implementation of the World Food Summit Plan of Action adopted at the Summit;

3. Requests that, at its special session for the purpose of an overall review and appraisal of the implementation of Agenda 21, the General Assembly give due attention to the follow-up to the World Food Summit Plan of Action;

4. Invites the Administrative Committee on Coordination to decide on the inter-agency mechanism for the implementation of the World Food Summit Plan of Action and the incorporation of the mechanism into existing arrangements, and to report to the Economic and Social Council at its substantive session of 1997 in the context of Council resolution 1996/36;

5. Requests the Secretary-General to report annually to the General Assembly, through the Economic and Social Council, on the implementation of the Universal Declaration on the Eradication of Hunger and Malnutrition[1] and the World Food Summit Plan of Action, in the context of the follow-up to the major United Nations conferences of the 1990s, including the implementation of their respective programmes of action;

6. Reiterates its invitation to the Director-General of the Food and Agriculture Organization of the United Nations to submit to the General Assembly, at its fifty-second session, through the Economic and Social Council, a report on the outcome of the World Food Summit, including actions to be taken to follow up the outcome of the Summit at all appropriate levels.